

REMARKS

Claim Status

The claims in consideration are claims 1-10 and 13-17. The independent claims are 1, 7, 13, 15, and 16.

Drawings Objection

The Examiner has objected to FIGS. 1-3 because the legend does not include the terms "PRIOR ART". Applicant has attached new drawings for all figures. FIGS. 1-3 have been amended to include the terms "PRIOR ART" in the legend.

Information Disclosure Statement

The Examiner states in the Office Action that the "Information Disclosure Statement filed 05/15/2003 (4 full pages of references) fails to comply with 37 CFR 1.98(a)(3) because it does not include a concise explanation of the relevance as it is presently understood by the individual designated in 37 CFR 1.56(c) most knowledgeable about the content of the information, of each patent listed that is not in the English language" and thus has not been considered. The Applicant traverses this assertion and requests reconsideration of the Information

Disclosure Statement for the following reasons.

A careful review of the Information Disclosure Statement reveals that all of the references listed are United States Patents, United States Patent Application Publications, United States Publications, or a Foreign Patent submitted in the English language. For example, EP 0855826 was submitted in the English language. In conclusion, all of the references cited in the Information Disclosure Statement were submitted in the English language. Reconsideration is respectfully requested.

Claim Rejection - 35 U.S.C. §112

The Examiner has rejected claim 7 because it does not have antecedent basis for "said central processor." Claim 7 has been amended. Reconsideration is respectfully requested.

Claim Rejections - 35 U.S.C. §102

Claims 1-4 and 7-17 are rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,479,487 to Hammond (hereinafter "Hammond"). With regard to claims 1-2, and 15, the Examiner indicates that Hammond's call center 40 teaches Applicant's claimed switch. The Examiner later indicates "the

combination of I/O devices 57, PBX interface 503 and work station interface 504 in FIG. 5" teach the Applicant's claimed "control means for determining whether a particular agent station should be controlled by said PBX or said switch, and for allocating said control". This is just not so.

Hammond does not disclose switching between the call center 40 and the PBX 11. As indicated in FIG. 5 of Hammond, the call center 40 is not mutually exclusive of the PBX 11. Rather, the PBX 11 is directly linked to the call center 40. Any communication received by the Hammond system must pass through the call center 40 to get to the PBX 11. (See FIG. 5). This is not what the Applicant claims.

The Applicant claims a control means for determining whether a particular agent station is controlled by either the PBX or the switch.

Applicant claims a "control means for determining whether a particular agent station should be controlled by said PBX or said switch, and for allocating said control." The PBX and switch are mutually exclusive of each other. The claimed language is clearly shown in FIG. 4. Specifically, the public network 480 is in direct communication with the PBX 401 and the call center

application switch 402; however, the PBX 401 and the call center application switch 402 are mutually exclusive of each other. The communication received at the public network is routed to **either** the PBX 401 or the call center 402. (See FIG. 4 and the claimed language). This is claimed by the Applicant and is entirely different than Hammond. (See FIG. 5). Reconsideration is respectfully requested.

As indicated by the Examiner, independent claims 7, 13, 15, and 16 include the same limitation of connecting a communication to either the switch or PBX, therefore for the same reasons as discussed above with respect to claim 1, these claims are distinguished over Hammond. Further, the remaining claims depend from claim 1, 7, 13, 15, or 16 and are, therefore, distinguished over Hammond for the same reasons as discussed above.

Claim Rejections - 35 U.S.C. §103

Claims 5-6 are rejected under 35 U.S.C. §103(a) as being unpatentable over Hammond. Reconsideration is respectfully requested.

Claims 5-6 depend directly from claim 1. Claim 1 was previously distinguished over Hammond. Once again, Hammond does

In re: Laurence J. Fromm
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Page 11

not teach or make obvious a "control means for determining whether a particular agent station should be controlled by said PBX or said switch, and for allocating said control." For the reasons discussed above with respect to claim 1, claims 5-6 are distinguished over Hammond and reconsideration is respectfully requested.

The Examiner has stated that the features in claims 5 and 6 are obvious, old, and well-known features. Applicant respectfully disagrees. The features in claims 5 and 6 are not obvious over Hammond when viewed in conjunction with the limitations of claim 1 for the reasons explained above.

The Examiner is invited to telephone the undersigned, Applicant's Attorney of Record, to facilitate advancement of the present application.

Respectfully submitted,
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